

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GASPAR MAYAHUA CUAHUA,
*individually and on behalf of others similarly
situated*, and JAVIER ZOPIYACTLE
CUAHUA, *individually and on behalf of
others similarly situated*,

Plaintiffs,

-against-

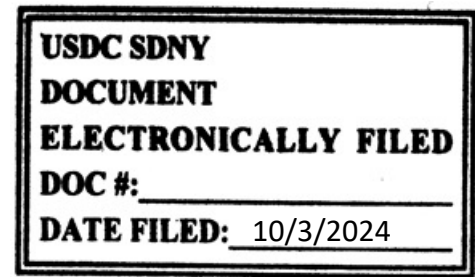
LIVING THAIL CORP *doing business as*
LIVING THAI CUISINE, *et al.*,

Defendant.

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KATHARINE H. PARKER, United States Magistrate Judge:

In this action under the Fair Labor Standards Act and the New York Labor Law, which is before this Court on the consent of the parties pursuant to 28 U.S.C. § 636(c), the parties, having reached an agreement in principle to resolve the action, have placed their revised proposed settlement agreement before this Court for approval. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 1999 (2d Cir. 2015) (requiring judicial fairness review of FLSA settlements). Plaintiffs have also submitted a letter detailing why they believe the revised proposed settlement agreement is fair, reasonable, and adequate. (ECF No. 134.) This Court has reviewed Plaintiffs' submissions in order to determine whether the proposed agreement represents a reasonable compromise of the claims asserted in this action, and, in light of the totality of the relevant circumstances, including the representations made in Plaintiff's letter and the terms of the



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ORDER OF DISMISSAL

proposed settlement agreement, and this Court's own familiarity with the strengths and weaknesses of the parties' positions it is hereby ORDERED that:

1. The Court finds that the terms of the proposed settlement agreement are fair, reasonable, and adequate, both to redress Plaintiffs' claims in this action and to compensate Plaintiffs' counsel for their legal fees, and the agreement is therefore approved.

2. In accordance with the parties' request, this Court will retain jurisdiction over this matter for the purpose of enforcing the settlement agreement, if necessary.

3. As a result of the Court's approval of the parties' proposed settlement, this action is hereby discontinued with prejudice and without costs.

4. The Clerk of Court is directed to adjourn all conferences and close this case on the Docket of the Court.

Dated: New York, New York
October 3, 2024

SO ORDERED



KATHARINE H. PARKER
United States Magistrate Judge